

**U.S. Bankruptcy Court  
Western District of Washington (Seattle)  
Adversary Proceeding #: 15-01313-CMA**

*Assigned to:* Christopher M Alston

*Date Filed:* 09/03/15

*Lead BK Case:* 15-13118

*Lead BK Title:* Marisol Sanchez

*Lead BK Chapter:* 7

*Demand:*

*Nature[s] of Suit:* 21 Validity, priority or extent of lien or other interest in property  
02 Other (e.g. other actions that would have been brought in state court if unrelated to  
bankruptcy)  
91 Declaratory judgment

***Plaintiff***

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**Pedro Enrique Iraheta**  
c/o Barraza Law PLLC  
14245-F Ambaum Blvd SW  
Burien, WA 98166

represented by **Vicente O Barraza**  
Barraza Law PLLC  
14245F Ambaum Blvd SW  
Burien, WA 98166  
206-933-7861  
Fax : 206-933-7863  
Email: [omar@barrazalaw.com](mailto:omar@barrazalaw.com)

V.

***Defendant***

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**Marisol Sanchez**  
20004 Wallinford Ave N  
Shoreline, WA 98133  
SSN / ITIN: xxx-xx-0627

represented by **Christina L Henry**  
Henry, DeGraaff & McCormick, PS  
1833 N 105th St, Ste 203  
Seattle, WA 98133  
206-330-0595  
Email: [mainline@hdm-legal.com](mailto:mainline@hdm-legal.com)

***Defendant***

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**JP Morgan Chase Bank NA**  
*TERMINATED: 04/04/2016*

represented by **Matthew R Cleverley**  
Fidelity National Law Group  
Columbia Center  
701 Fifth Avenue, Suite 2710  
Seattle, WA 98104  
206-224-6003  
Fax : 877-655-5281  
Email: [matthew.cleverley@fnf.com](mailto:matthew.cleverley@fnf.com)  
*TERMINATED: 04/04/2016*

**Hugh R. McCullough**  
Davis Wright Tremaine LLP  
1201 3rd Ave Ste 2200

Seattle, WA 98101-3045  
206-757-8189  
Email: [hughmccullough@dwt.com](mailto:hughmccullough@dwt.com)  
*TERMINATED: 04/04/2016*

**Anthony S Wisen**  
Davis Wright Tremaine LLP  
1201 3rd Ave Ste 2200  
Seattle, WA 98101-3045  
206-757-8198  
Email: [anthonywisen@dwt.com](mailto:anthonywisen@dwt.com)  
*TERMINATED: 04/04/2016*

***Defendant***

**Edmund J Wood, Trustee**

represented by **David A Gebben**  
Attorney at Law  
1700 7th Ave Ste 2100  
Seattle, WA 98101  
206-357-8456  
Email: [david.gebben@gmail.com](mailto:david.gebben@gmail.com)

***Counter-Claimant***

**Edmund J Wood, Trustee**

represented by **David A Gebben**  
(See above for address)

V.

***Counter Defendant***

**Pedro Enrique Iraheta**  
c/o Barraza Law PLLC  
14245-F Ambaum Blvd SW  
Burien, WA 98166

represented by **Vicente O Barraza**  
(See above for address)

Filing Date	#	Docket Text
09/03/2015	<u>1</u>	Adversary case 15-01313. Complaint by Pedro Enrique Iraheta (attorney Vicente O Barraza) against Marisol Sanchez, Edmund J Wood, JPMorgan Chase Bank N.A.. . (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit) Nature of Suit: (21 (Validity, priority or extent of lien or other interest in property)), (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (91 (Declaratory judgment)) (Barraza, Vicente) (Entered: 09/03/2015 at 16:29:33)
09/03/2015		Receipt of filing fee for Complaint(15-01313-CMA) [cmp,cmp] ( 350.00). Receipt number 21340562. Fee amount \$ 350.00. (U.S. Treasury) (Entered: 09/03/2015 at 16:30:30)
09/04/2015	<u>2</u>	Summons and Notice of Pretrial Conference (Summons issued electronically via the Court's ECF System to Plaintiff's attorney) to be served on JP Morgan Chase Bank NA Answer Due 10/5/2015; Marisol Sanchez Answer Due 10/5/2015; Edmund J Wood Answer Due 10/5/2015 . Pretrial scheduled for 10/23/2015 at 09:00 AM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. (EA) (Entered: 09/04/2015 at

			15:40:15)
09/08/2015		<u>3</u>	Proof of Service . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>1</u> Complaint). (Barraza, Vicente) (Entered: 09/08/2015 at 19:00:35)
09/25/2015		<u>4</u>	Notice of Appearance . Filed by Hugh R. McCullough on behalf of JP Morgan Chase Bank NA. (McCullough, Hugh) (Entered: 09/25/2015 at 11:10:07)
09/25/2015		<u>5</u>	Statement Regarding Corporate Disclosure. Proof of Service. Filed by Hugh R. McCullough on behalf of JP Morgan Chase Bank NA. (McCullough, Hugh) (Entered: 09/25/2015 at 11:29:22)
09/25/2015		<u>6</u>	Notice of Appearance . Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Wisen, Anthony) (Entered: 09/25/2015 at 11:32:25)
09/28/2015		<u>7</u>	Mediation Certification Filed by Barraza, Vicente (Entered: 09/28/2015 at 15:28:47)
09/30/2015		<u>8</u>	Trustee's Answer to Complaint <i>To Reform Deed of Trust And Quit Claim Deed, And, Trustee's Counterclaim</i> by Edmund J Wood against Pedro Enrique Iraheta <i>To Avoid An Alleged Interest In Real Property..</i> Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 09/30/2015 at 15:40:24)
10/01/2015		<u>9</u>	Mediation Certification Filed by Gebben, David (Entered: 10/01/2015 at 14:32:48)
10/23/2015		<u>10</u>	Notice Regarding Final Adjudication and Consent . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 10/23/2015 at 11:21:03)
10/23/2015			Minutes. Hearing Held. Appearances: David Gebben, Vincente Barraza, Hugh McCullough, Scheduling order setting trial date to be issued by chambers. (related document(s): <u>2</u> Summons and Pretrial Conference (Seattle)) Trial is scheduled for 05/24/2016 at 09:30 AM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. (MJB ) (Entered: 11/06/2015 at 09:46:45)
10/26/2015		<u>11</u>	Answer to Counterclaim (Related document(s) <u>8</u> Answer to Complaint, Counterclaim). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 10/26/2015 at 13:09:26)
10/26/2015		<u>12</u>	Proof of Service . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>11</u> Answer to Counterclaim). (Barraza, Vicente) (Entered: 10/26/2015 at 13:12:17)
10/28/2015		<u>13</u>	Mediation Certification Filed by Wisen, Anthony (Entered: 10/28/2015 at 14:28:41)
10/29/2015		<u>14</u>	Stipulation by and between <i>Plaintiff and JPMorgan Chase Bank, N.A..</i> Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <u>1</u> Complaint). (Wisen, Anthony) (Entered: 10/29/2015 at 12:00:45)
10/29/2015		<u>15</u>	

			Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Wisen, Anthony. Related document <u>14</u> (Entered: 10/29/2015 at 12:23:03)
10/30/2015		<u>16</u>	Stipulation for ORDER Extending Time for JP Morgan Chase Bank NA to Answer Plaintiff's Complaint (Extended to December 4, 2015) (Related document(s) <u>14</u> Stipulation). (SYL) (Entered: 10/30/2015 at 15:11:55)
11/18/2015		<u>17</u>	Trustee's Report RE: <i>Consent To Final Adjudication..</i> Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 11/18/2015 at 13:43:56)
11/23/2015		<u>18</u>	Notice of Trial and ORDER Setting Deadlines . (SYL) (Entered: 11/23/2015 at 12:07:34)
11/23/2015		<u>19</u>	Withdrawal and Substitution of Attorney. Involvement of Hugh R. McCullough and Anthony S Wisen Terminated.. Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA. (Cleverley, Matthew) (Entered: 11/23/2015 at 16:29:00)
11/23/2015		<u>20</u>	Answer to Complaint to Reform Deed of Trust and Quit Claim Deed and for Declaratory Judgment. Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA. (Cleverley, Matthew) (Entered: 11/23/2015 at 16:45:23)
11/23/2015		<u>21</u>	Motion for Judgment on the Pleadings with Notice of Hearing. Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA The Hearing date is set for 1/14/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 1/7/2016. (Attachments: # <u>1</u> [Proposed] Judgment) (Cleverley, Matthew) (Entered: 11/23/2015 at 17:00:40)
11/23/2015		<u>22</u>	Defendant's Notice of Hearing for Thurs., Jan-14, 2016, at 1:30 p.m. (Related document(s) <u>21</u> Motion for Judgment on the Pleadings). Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA. (Cleverley, Matthew) (Entered: 11/23/2015 at 17:06:52)
11/25/2015		<u>23</u>	BNC Certificate of Notice (Related document(s) <u>18</u> Notice of Trial and Order Setting Deadlines). Notice Date 11/25/2015. (Admin.) (Entered: 11/25/2015 at 21:32:50)
12/09/2015		<u>24</u>	Amend Complaint. <i>Defendant not added.</i> Defendants not added. Amending: <i>Add causes of action against JPMorgan Chase Bank NA and clarify causes of action against other parties.</i> (Related document(s) <u>1</u> Complaint, <u>8</u> Answer to Complaint, Counterclaim)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Attachments: # <u>1</u> Exhibit Comparison of First and Amended Complaint) (Barraza, Vicente) (Entered: 12/09/2015 at 19:12:26)
12/14/2015		<u>25</u>	Proof of Service of Amended Complaint. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente). Related document(s) <u>24</u> Amend Complaint filed by Counter Defendant Pedro Enrique Iraheta, Plaintiff Pedro Enrique Iraheta. Modified on 12/15/2015; added link (Brazil, Victoria). (Entered: 12/14/2015 at 19:29:34)
12/16/2015		<u>26</u>	Response to Chase's Motion for Judgment on the Pleadings (Related document(s) <u>21</u> Motion). Proof of Service. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 12/16/2015

			at 13:44:41)
12/22/2015		<u>27</u>	Notice of Appearance <i>for Defendant Marisol Sanchez</i> . Filed by Christina L Henry on behalf of Marisol Sanchez. (Henry, Christina) (Entered: 12/22/2015 at 13:11:33)
12/28/2015		<u>28</u>	Notice of Appearance . Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Wisen, Anthony) (Entered: 12/28/2015 at 08:14:21)
12/28/2015		<u>29</u>	Notice of Appearance . Filed by Hugh R. McCullough on behalf of JP Morgan Chase Bank NA. (McCullough, Hugh) (Entered: 12/28/2015 at 08:15:42)
12/28/2015		<u>30</u>	DOCKETED IN ERROR. WRONG EVENT DOCKETED. ATTORNEY CALLED <del>Amend Complaint. Defendant not added. Defendants not added. Amending: Motion to Amend to Add Causes of Action Against JPMorgan Chase Bank, NA. (Related document(s) <u>1</u> Complaint). Proof of Service. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Attachments: # <u>1</u> Notice of Hearing # <u>2</u> Proposed Order # <u>3</u> Proof of Service) (Barraza, Vicente)</del> Modified on 12/29/2015 (Luu, Suying). (Entered: 12/28/2015 at 08:26:06)
12/28/2015		<u>31</u>	Answer to Amended Complaint <i>to Reform Deed of Trust and Quit Claim Deed and for Declaratory Judgment</i> (Related document(s) <u>24</u> Amend Complaint). Proof of Service. Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Wisen, Anthony) (Entered: 12/28/2015 at 08:33:13)
12/29/2015		<u>32</u>	Motion <i>Motion for Leave of Court to Amend Complaint</i> with Notice of Hearing. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta The Hearing date is set for 1/28/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 1/21/2016. (Attachments: # <u>1</u> Notice of Hearing # <u>2</u> Proposed Order # <u>3</u> Proof of Service) (Barraza, Vicente) (Entered: 12/29/2015 at 11:32:35)
01/08/2016			Notice to Court Agreement Reached, Agreed Order to be Submitted on Date of Hearing: 1/14/2016. Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA. (Related document(s) <u>21</u> Motion, <u>22</u> Hearing Notice). (Cleverley, Matthew) (Entered: 01/08/2016 at 10:09:22)
01/08/2016		<u>33</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Cleverley, Matthew. Related document <u>21</u> (Entered: 01/08/2016 at 11:49:07)
01/11/2016		<u>34</u>	JUDGMENT (Related document(s) <u>21</u> Motion). (JCF) (Entered: 01/11/2016 at 16:19:01)
01/18/2016		<u>35</u>	Stipulation by and between <i>Plaintiff Pedro Iraheta and Defendant Marisol Sanchez</i> . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Attachments: # <u>1</u> Proposed Order) (Barraza, Vicente) (Entered: 01/18/2016 at 21:01:21)
01/18/2016		<u>36</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Barraza, Vicente. Related document <u>35</u> (Entered: 01/18/2016 at 22:04:01)
01/20/2016		<u>37</u>	Submitted But Not Entered (Related document(s) <u>35</u> Stipulation). (SYL) (Entered: 01/20/2016 at 10:03:11)

01/22/2016		<u>38</u>	Declaration of No Objection <i>Plaintiff Iraheta</i> . The Filer represents to the Court, under penalty of perjury, that Notice of the Motion linked to this entry was served on 12/28/2015 in accordance with the proof of service filed herein and that no objection to that Motion has been filed in the Office of the Clerk or received by the Filer. (Related document(s) <u>32</u> Motion)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 01/22/2016 at 12:24:37)
01/22/2016		<u>39</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Barraza, Vicente. Related document 38 (Entered: 01/22/2016 at 13:24:27)
01/25/2016		<u>40</u>	ORDER Granting Plaintiff's Motion for Leave to Amend Complaint (Related Doc # <u>32</u> ) . (VAB) (Entered: 01/25/2016 at 13:44:05)
02/08/2016		<u>41</u>	Motion to Withdraw as Attorney Filed by Matthew R Cleverley on behalf of JP Morgan Chase Bank NA (Cleverley, Matthew) (Entered: 02/08/2016 at 15:11:17)
02/18/2016		<u>42</u>	Motion <i>Judgment on the Pleadings (FRCP 12(c))</i> with Notice of Hearing. Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA The Hearing date is set for 3/10/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 3/3/2016. (Attachments: # <u>1</u> Proposed Order) (Wisen, Anthony) (Entered: 02/18/2016 at 12:29:06)
02/18/2016		<u>43</u>	Notice of Hearing ( <i>Related document(s)</i> <u>42</u> <i>Motion Judgment on the Pleadings (FRCP 12(c))</i> ). Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Wisen, Anthony) (Entered: 02/18/2016 at 12:30:30)
02/18/2016		<u>44</u>	Proof of Service . Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <u>42</u> Motion, <u>43</u> Hearing Notice). (Wisen, Anthony) (Entered: 02/18/2016 at 12:32:55)
02/19/2016		<u>45</u>	Trustee's Motion for Summary Judgment <i>on Trustee's Claim To Avoid Plaintiff's Alleged Interest In Real Property</i> with Notice of Hearing. Filed by David A Gebben on behalf of Edmund J Wood The Hearing date is set for 3/24/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 3/17/2016. (Attachments: # <u>1</u> Proposed Order) (Gebben, David) (Entered: 02/19/2016 at 11:50:44)
02/19/2016		<u>46</u>	Declaration of <i>Edmund J. Wood, Trustee In Support Of His Motion For Summary Judgment</i> (Related document(s) <u>45</u> Motion for Summary Judgment)... Filed by David A Gebben on behalf of Edmund J Wood. (Attachments: # <u>1</u> Exhibit 1 – Quit Claim Deed # <u>2</u> Exhibit 2 – Title Report) (Gebben, David) (Entered: 02/19/2016 at 11:54:26)
02/19/2016		<u>47</u>	Notice of Hearing <i>on Trustee's Motion For Summary Judgment (Related document(s)</i> <u>45</u> <i>Trustee's Motion for Summary Judgment on Trustee's Claim To Avoid Plaintiff's Alleged Interest In Real Property</i> ). Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 02/19/2016 at 11:56:19)
02/19/2016		<u>48</u>	Proof of Service <i>on Trustee's Motion For Summary Judgment</i> . Filed by David A Gebben on behalf of Edmund J Wood. (Related document(s) <u>45</u> Motion for Summary Judgment). (Gebben, David) (Entered: 02/19/2016 at 11:57:51)



02/19/2016	<u>49</u>	Motion <i>Motion for Order Approving Stipulation of Pedro Iraheta and Marisol Sanchez</i> with Notice of Hearing. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta The Hearing date is set for 3/24/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 3/17/2016. (Attachments: # <u>1</u> Exhibit Stipulation # <u>2</u> Proposed Order # <u>3</u> Proof of Service) (Barraza, Vicente) (Entered: 02/19/2016 at 14:16:42)
02/19/2016	<u>50</u>	Notice of Hearing ( <i>Related document(s)</i> <u>49</u> <i>Motion Motion for Order Approving Stipulation of Pedro Iraheta and Marisol Sanchez</i> ). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 02/19/2016 at 14:17:12)
02/21/2016	<u>51</u>	Motion for Summary Judgment with Notice of Hearing. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta The Hearing date is set for 3/24/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 3/17/2016. (Attachments: # <u>1</u> Exhibit Exhibits A – I # <u>2</u> Exhibit Exhibits J – End # <u>3</u> Proposed Order) (Barraza, Vicente) (Entered: 02/21/2016 at 23:26:51)
02/21/2016	<u>52</u>	Notice of Hearing ( <i>Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> ). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 02/21/2016 at 23:27:31)
02/21/2016	<u>53</u>	Declaration of <i>Pedro E. Iraheta</i> ( <i>Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> )... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 02/21/2016 at 23:28:25)
02/22/2016	<u>54</u>	Amended Motion for Summary Judgment with Notice of Hearing. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta The Hearing date is set for 3/24/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. Response due by 3/17/2016. (Attachments: # <u>1</u> Proposed Order) (Barraza, Vicente) (Entered: 02/22/2016 at 19:21:22)
02/22/2016	<u>55</u>	Notice of Hearing on <i>Amended Motion for Summary Judgment (Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> , <u>54</u> <i>Amended Motion for Summary Judgment</i> ). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 02/22/2016 at 19:22:15)
02/22/2016	<u>56</u>	Amended Declaration on <i>Amended Motion for Summary Judgment (Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> , <u>54</u> <i>Motion for Summary Judgment</i> )... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Attachments: # <u>1</u> Exhibit A – J # <u>2</u> Exhibit J – O) (Barraza, Vicente) (Entered: 02/22/2016 at 19:23:43)
02/23/2016	<u>57</u>	Supplemental Declaration of <i>Pedro E. Iraheta With Signature</i> ( <i>Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> , <u>54</u> <i>Motion for Summary Judgment</i> )... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 02/23/2016 at 09:40:56)
02/23/2016	<u>58</u>	Proof of Service . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. ( <i>Related document(s)</i> <u>51</u> <i>Motion for Summary Judgment</i> , <u>54</u> <i>Motion for Summary Judgment</i> ). (Barraza, Vicente) (Entered: 02/23/2016 at 09:42:43)
03/03/2016	<u>59</u>	Response to ( <i>Related document(s)</i> <u>42</u> <i>Motion</i> ). Proof of Service. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/03/2016 at 16:30:27)

03/04/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/10/2016. Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <u>42</u> Motion, <u>43</u> Hearing Notice). (Wisen, Anthony) (Entered: 03/04/2016 at 07:36:02)
03/04/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/10/2016. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>42</u> Motion, <u>59</u> Response, Notice to Court of Intent to Argue). (Barraza, Vicente) (Entered: 03/04/2016 at 15:36:57)
03/07/2016		<u>60</u>	Reply <i>in Support of JPMorgan Chase Bank N.A.'s Motion for Judgment on the Pleadings (FRCP 12(c))</i> (Related document(s) <u>42</u> Motion, <u>59</u> Response)... Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Wisen, Anthony) (Entered: 03/07/2016 at 15:21:21)
03/07/2016		<u>61</u>	Proof of Service . Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <u>60</u> Reply). (Wisen, Anthony) (Entered: 03/07/2016 at 15:24:56)
03/09/2016			Notice to Court Requesting Continuance of Hearing on Motion – from: Date of Hearing: 3/10/2016 at 1:30 pm. to: 3/24/2016 at 1:30 pm. Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <u>42</u> Motion). (Wisen, Anthony) (Entered: 03/09/2016 at 08:58:23)
03/10/2016			Minutes. Hearing Not Held. Matter continued. (related document(s): <u>42</u> Motion filed by JP Morgan Chase Bank NA) Continued Hearing scheduled for 03/24/2016 at 01:30 PM at Judge Alston's Courtroom, U.S. Courthouse, Room 7206. (MJB ) (Entered: 03/10/2016 at 09:50:42)
03/10/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by Anthony S Wisen on behalf of JP Morgan Chase Bank NA. (Related document(s) <u>42</u> Motion, <u>59</u> Response, Minutes Hearing Held). (Wisen, Anthony) (Entered: 03/10/2016 at 11:53:34)
03/10/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>42</u> Motion, <u>59</u> Response, <u>60</u> Reply, Notice to Court of Motion to be Continued, Notice to Court of Intent to Argue). (Barraza, Vicente) (Entered: 03/10/2016 at 17:05:43)
03/17/2016		<u>62</u>	Trustee's Response to <i>Pedro Iraheta's Motion For Partial Summary Judgment</i> (Related document(s) <u>54</u> Motion for Summary Judgment)... Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 03/17/2016 at 10:56:01)
03/17/2016		<u>63</u>	Trustee's Response to <i>Mr. Iraheta's Motion For An Order Approving A Stipulation</i> (Related document(s) <u>49</u> Motion)... Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 03/17/2016 at 10:59:19)
03/17/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by David A Gebben on behalf of Edmund J Wood. (Related document(s) <u>54</u> Motion for Summary Judgment). (Gebben, David) (Entered: 03/17/2016 at 11:01:09)
03/17/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by David A Gebben on behalf of Edmund J Wood. (Related document(s) <u>49</u>



			Motion). (Gebben, David) (Entered: 03/17/2016 at 11:02:52)
03/17/2016		<u>64</u>	Response to <i>Trustee's Motion for Summary Judgment</i> (Related document(s) <u>45</u> Motion for Summary Judgment)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/17/2016 at 15:43:13)
03/17/2016		<u>65</u>	Declaration of <i>Marisol Sanchez in Opposition to Trustee's Motion for Summary Judgment</i> (Related document(s) <u>45</u> Motion for Summary Judgment)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/17/2016 at 15:44:23)
03/17/2016		<u>66</u>	Declaration of <i>Pedro Iraheta in Opposition to Trustee's Motion for Summary Judgment</i> (Related document(s) <u>45</u> Motion for Summary Judgment)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/17/2016 at 15:45:26)
03/17/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by David A Gebben on behalf of Edmund J Wood. (Related document(s) <u>45</u> Motion for Summary Judgment). (Gebben, David) (Entered: 03/17/2016 at 16:39:02)
03/17/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>42</u> Motion, <u>45</u> Motion for Summary Judgment, <u>49</u> Motion, <u>54</u> Motion for Summary Judgment, <u>60</u> Reply, <u>63</u> Response, <u>64</u> Response, Notice to Court of Intent to Argue). (Barraza, Vicente) (Entered: 03/17/2016 at 17:03:43)
03/21/2016		<u>67</u>	Trustee's Reply To <i>Pedro Iraheta's Response To Trustee's Motion For Summary Judgment</i> (Related document(s) <u>45</u> Motion for Summary Judgment)... Filed by David A Gebben on behalf of Edmund J Wood. (Gebben, David) (Entered: 03/21/2016 at 12:10:30)
03/21/2016		<u>68</u>	Reply (Related document(s) <u>51</u> Motion for Summary Judgment, <u>54</u> Motion for Summary Judgment)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/21/2016 at 21:24:42)
03/21/2016		<u>69</u>	Declaration of <i>Pedro Iraheta</i> (Related document(s) <u>51</u> Motion for Summary Judgment, <u>54</u> Motion for Summary Judgment)... Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente) (Entered: 03/21/2016 at 21:25:32)
03/22/2016			Notice to Court of Intent to Argue. Date of Hearing: 3/24/2016. Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>49</u> Motion). (Barraza, Vicente) (Entered: 03/22/2016 at 09:23:56)
03/28/2016		<u>70</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Gebben, David. Related document <u>45</u> (Entered: 03/28/2016 at 11:23:04)
03/28/2016		<u>71</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Wisen, Anthony. Related document <u>42</u> (Entered: 03/28/2016 at 14:31:24)
03/29/2016		<u>72</u>	Submitted But Not Entered (Related document(s) <u>42</u> Motion). (SYL) (Entered: 03/29/2016 at 10:19:59)

03/31/2016	<u>73</u>	Order of Summary JUDGMENT in Favor of the Trustee, as Cross-Claimant and Against Plaintiff. (Related document(s) <u>45</u> Motion for Summary Judgment, <u>49</u> Motion, <u>51</u> Motion for Summary Judgment, <u>54</u> Motion for Summary Judgment). Case Can Close: 4/21/2016. (SLA) (Entered: 03/31/2016 at 08:39:41)
04/01/2016	<u>74</u>	Received UNSIGNED Order Forwarded to Chambers for Judge's Signature. Filed by Wisen, Anthony. Related document <u>42</u> (Entered: 04/01/2016 at 08:53:02)
04/04/2016	<u>75</u>	ORDER Dismissing Claims Against JPMorgan Chase Bank NA (Related Doc # <u>42</u> ) . (VAB) (Entered: 04/04/2016 at 09:39:31)
04/08/2016	<u>76</u>	Notice of Appeal and Statement of Election to District Court. Re: BK Internal Appeal No: 16-S005, Bankruptcy Case #15-13118, USDC Appeal #2:16-cv-515 Fee Due \$ 298 (Related document(s) <u>73</u> Judgment, <u>75</u> Order Re Motion to). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. Record Transmission due by 05/6/2016, (Barraza, Vicente) Modified on 4/11/2016 (Fortmann, Janet). (Entered: 04/08/2016 at 12:09:36)
04/08/2016		Receipt of filing fee for Notice of Appeal and Statement of Election(15-01313-CMA) [appeal,ntcaplel] ( 298.00). Receipt number 22149729. Fee amount \$ 298.00. (U.S. Treasury) (Entered: 04/08/2016 at 12:11:01)
04/08/2016		Audio CD Request. Hearing Date and Time: 03/24/16 at 1:30. Other Info: Please mail CD to Ahearn & Associates, Inc. (Maple Valley address).. Requested by: Vicente Omar Barraza, representing Pedro Iraheta. Expected Filing Date of Transcript No later than 5/9/16. . Request for Production of Transcript on Appeal due by 05/9/2016, (Transcriber – Wheeler, Shari) (Entered: 04/08/2016 at 12:32:38)
04/08/2016	<u>77</u>	Amendment to <i>Appeal</i> . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Barraza, Vicente). Related document(s) <u>76</u> Notice of Appeal and Statement of Election filed by Counter Defendant Pedro Enrique Iraheta, Plaintiff Pedro Enrique Iraheta. Modified on 4/8/2016 to link to appeal (Fortmann, Janet). (Entered: 04/08/2016 at 12:52:04)
04/08/2016	<u>78</u>	Notice of Appeal and Statement of Election to District Court. Re: BK Internal Appeal No: 15-13118. Fee Due \$ 298 (Related document(s) <u>75</u> Order Re Motion to). Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. Record Transmission due by 05/6/2016, (Barraza, Vicente) (Entered: 04/08/2016 at 12:55:32)
04/08/2016		Receipt of filing fee for Notice of Appeal and Statement of Election(15-01313-CMA) [appeal,ntcaplel] ( 298.00). Receipt number 22149974. Fee amount \$ 298.00. (U.S. Treasury) (Entered: 04/08/2016 at 12:56:33)
04/11/2016	<u>79</u>	Proof of Service <i>Amended Appeal</i> . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>77</u> Amendment). (Barraza, Vicente) (Entered: 04/11/2016 at 08:38:41)
04/11/2016	<u>80</u>	Proof of Service . Filed by Vicente O Barraza on behalf of Pedro Enrique Iraheta. (Related document(s) <u>78</u> Notice of Appeal and Statement of Election). (Barraza, Vicente) (Entered: 04/11/2016 at 08:39:19)

Below is the Order of the Court.



**Christopher M. Alston**  
**U.S. Bankruptcy Judge**

(Dated as of Entered on Docket date above)

David A. Gebben, Attorney At Law  
1700 Seventh Avenue, Suite 2100  
Seattle, WA 98101  
Ph. (206) 357-8456  
Fax (206) 357-8401

**THE HONORABLE CHRISTOPHER M. ALSTON**

Chapter 7

Hearing Location: 700 Stewart Street, Room 7206  
Seattle, WA 98101

HEARING DATE/TIME: MARCH 24, 2016, 1:30 P.M.

Response Date: March 17, 2016

**UNITED STATES BANKRUPTCY COURT**  
**FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

MARISOL SANCHEZ,

Debtor.

PEDRO ENRIQUE IRAHETA,

Plaintiff,

v.

MARISOL SANCHEZ, JP MORGAN CHASE  
BANK, N.A., EDMUND J. WOOD, TRUSTEE  
OF THE BANKRUPTCY ESTATE OF  
MARISOL SANCHEZ,

Defendants.

NO. 15-13118-CMA

ADV. NO. 15-01313-CMA

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

THIS MATTER having come on before this Court for hearing, on 3-24-16 at 1:30 p.m., upon  
*Trustee's Motion For Summary Judgment On Trustee's Claim To Avoid Plaintiff's Alleged Interest In*  
*Real Property* dated 2-17-16 (Docket No. 45), as filed by EDMUND J. WOOD, TRUSTEE ("trustee"), a

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

-1-

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401

**Below is the Order of the Court.**

cross-claimant in this adversary case, and upon *Pedro Iraheta's Amended Motion For Partial Summary Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54), as filed by PEDRO ENRIQUE IRAHETA ("plaintiff), the plaintiff in this adversary case, and this Court having reviewed all of the records and files herein relevant to those motions, and this Court having heard the statements and arguments of all parties in appearance before this Court at the time of the hearing on those motions, and this Court having determined that there are no genuine issues of material fact present in this matter, and this Court having issued an oral ruling on those two motions, and other related claim(s), at the conclusion of the hearing that was held on those two motions, on 3-24-16 at 1:30 p.m., and good cause appearing to this Court for entry of the following order in this matter, now therefore it is

ORDERED that this Court's findings and conclusions in this matter, as stated in the record at the time of this Court's oral ruling in this matter, as issued on 3-24-16 at 1:30 p.m., are hereby incorporated into the terms of this Order by reference;

AND IT IS FURTHER ORDERED that *Trustee's Motion For Summary Judgment On Trustee's Claim To Avoid Plaintiff's Alleged Interest In Real Property* dated 2-17-16 (Docket No. 45) is hereby GRANTED by this Court;

AND IT IS FURTHER ORDERED and determined by this Court that the trustee, as a hypothetical bona fide purchaser of the debtor's interest in the real property located at: 20004 Wallingford Ave. N., Shoreline, WA 98133, a/k/a King County Tax Account No. 107810-0020-09 ("the Shoreline property"), at the time of the commencement of the debtor's Chapter 7 case, pursuant to 11 U.S.C. §544(a)(3), may avoid any interest that the plaintiff herein, PEDRO ENRIQUE IRAHETA ("Mr. Iraheta"), may have held in the Shoreline property at the time of the debtor's Chapter 7 filing, as a matter of law, and the Shoreline property is hereby determined by this Court to be an asset of the bankruptcy estate in the above-captioned Chapter 7 case;

AND IT IS FURTHER ORDERED that *Pedro Iraheta's Amended Motion For Partial Summary Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54) is hereby DENIED by this Court, and plaintiff's claim for reformation of the *Quit Claim Deed* which was recorded in King

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

**Below is the Order of the Court.**

County on 9-21-09, under recording number 20090921000548, seeking to add the plaintiff as an owner of the Shoreline property, is hereby DENIED by this Court, and plaintiff's claim for a declaratory judgment determining that plaintiff is a co-owner of the real property located at: 20004 Wallingford Ave. N., Shoreline, WA 98133 is also hereby DENIED by this Court.

/// End of Order ///

Presented by:  
David A. Gebben, Attorney At Law

/S/ David A. Gebben  
By: David A. Gebben, WSBA #16290  
Attorney for trustee

Notice of Presentation Waived by:  
Barraza Law, PLLC

/S/ Vicente Omar Barraza, per email authorization \_  
By: Vicente Omar Barraza, WSBA #43589  
Attorney for plaintiff

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

-3-

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
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Barraza Law, PLLC  
14245-F Ambaum Blvd SW  
Burien, WA 98166  
206-933-7861 phone  
206-933-7863 fax

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In Re:

MARISOL SANCHEZ,

Debtor.

NO. 15-13118-TWD

ADVERSARY NO: 15-01313-CMA

PEDRO ENRIQUE IRAHETA,

Plaintiff,

v.

MARISOL SANCHEZ; JP MORGAN  
CHASE BANK, N.A.; AND EDMUND J.  
WOOD, TRUSTEE OF THE  
BANKRUPTCY ESTATE OF MARISOL  
SANCHEZ,

Defendants.

**NOTICE OF APPEAL AND  
STATEMENT OF ELECTION**

**Part 1: Identify the appellant(s)**

1. Name(s) of appellant(s): PEDRO ENRIQUE IRAHETA
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

For appeals in a bankruptcy case and not in an  
adversary proceeding

- ☒ Plaintiff  
☐ Defendant  
☐ Other (describe)

- ☐ Debtor  
☐ Creditor  
☐ Trustee  
☐ Other (describe)

NOTICE OF APPEAL AND STATEMENT OF ELECTION - 1

**Barraza Law, PLLC**  
14245-F Ambaum Blvd. SW  
Burien, WA 98166  
206-933-7861 phone  
206-933-7863 fax



**Part 2: Identify the subject of this appeal**

1. Describe the judgment, order, or decree appealed from:
2. State the date on which the judgment, order, or decree was entered:

<u>Judgment, Order or Decree</u>	<u>Docket #</u>	<u>Date Entered</u>
Order of Summary Judgment in Favor of the Trustee	Docket # 73	March 24, 2016
Order Dismissing Claims Against JPMorgan Chase	Docket # 75	March 24, 2016

**Part 3: Identify the other parties to the appeal**

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

**Pedro Enrique Iraheta, Plaintiff and Counter Defendant**

Attorney: Vicente O Barraza  
Barraza Law PLLC  
14245F Ambaum Blvd SW  
Burien, WA 98166  
206-933-7861  
Fax : 206-933-7863  
Email: omar@barrazalaw.com

**Marisol Sanchez, Defendant**

Attorney: Christina L Henry  
Henry, DeGraaff & McCormick, PS  
1833 N 105th St, Ste 203  
Seattle, WA 98133  
206-330-0595  
Email: mainline@hdm-legal.com

**JP Morgan Chase Bank NA, Defendant**

Attorney: Hugh R. McCullough  
Davis Wright Tremaine LLP  
1201 3rd Ave Ste 2200  
Seattle, WA 98101-3045  
206-757-8189  
Email: hughmccullough@dwt.com

NOTICE OF APPEAL AND STATEMENT OF ELECTION - 2

**Barraza Law, PLLC**  
14245-F Ambaum Blvd. SW  
Burien, WA 98166  
206-933-7861 phone  
206-933-7863 fax

Anthony S Wisen  
Davis Wright Tremaine LLP  
1201 3rd Ave Ste 2200  
Seattle, WA 98101-3045  
206-757-8198  
Email: anthonywisen@dwt.com

Edmund J Wood, Trustee, Defendant and Cross-Plaintiff

Attorney: David A Gebben  
Attorney at Law  
1700 7th Ave Ste 2100  
Seattle, WA 98101  
206-357-8456  
Email: david.gebben@gmail.com

**Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)**

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

**Part 5: Sign below**

DATED this April 8, 2016.

BARRAZA LAW, PLLC

By: /s/ Vicente Omar Barraza

Vicente Omar Barraza, WSBA # 43589  
Attorney for Pedro E. Iraheta  
14245F Ambaum Blvd SW  
Burien, WA 98166  
206-933-7861  
Fax : 206-933-7863  
Email: omar@barrazalaw.com

NOTICE OF APPEAL AND STATEMENT OF ELECTION - 3

**Barraza Law, PLLC**  
14245-F Ambaum Blvd. SW  
Burien, WA 98166  
206-933-7861 phone  
206-933-7863 fax

Below is the Order of the Court.



**Christopher M. Alston**  
**U.S. Bankruptcy Judge**

(Dated as of Entered on Docket date above)

David A. Gebben, Attorney At Law  
1700 Seventh Avenue, Suite 2100  
Seattle, WA 98101  
Ph. (206) 357-8456  
Fax (206) 357-8401

**THE HONORABLE CHRISTOPHER M. ALSTON**

Chapter 7

Hearing Location: 700 Stewart Street, Room 7206  
Seattle, WA 98101

HEARING DATE/TIME: MARCH 24, 2016, 1:30 P.M.

Response Date: March 17, 2016

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

MARISOL SANCHEZ,

Debtor.

PEDRO ENRIQUE IRAHETA,

Plaintiff,

v.

MARISOL SANCHEZ, JP MORGAN CHASE  
BANK, N.A., EDMUND J. WOOD, TRUSTEE  
OF THE BANKRUPTCY ESTATE OF  
MARISOL SANCHEZ,

Defendants.

NO. 15-13118-CMA

ADV. NO. 15-01313-CMA

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

THIS MATTER having come on before this Court for hearing, on 3-24-16 at 1:30 p.m., upon  
*Trustee's Motion For Summary Judgment On Trustee's Claim To Avoid Plaintiff's Alleged Interest In*  
*Real Property* dated 2-17-16 (Docket No. 45), as filed by EDMUND J. WOOD, TRUSTEE ("trustee"), a

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

-1-

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401

**Below is the Order of the Court.**

1 cross-claimant in this adversary case, and upon *Pedro Iraheta's Amended Motion For Partial Summary*  
2 *Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54), as filed by  
3 PEDRO ENRIQUE IRAHETA ("plaintiff), the plaintiff in this adversary case, and this Court having  
4 reviewed all of the records and files herein relevant to those motions, and this Court having heard the  
5 statements and arguments of all parties in appearance before this Court at the time of the hearing on those  
6 motions, and this Court having determined that there are no genuine issues of material fact present in this  
7 matter, and this Court having issued an oral ruling on those two motions, and other related claim(s), at the  
8 conclusion of the hearing that was held on those two motions, on 3-24-16 at 1:30 p.m., and good cause  
9 appearing to this Court for entry of the following order in this matter, now therefore it is

10 ORDERED that this Court's findings and conclusions in this matter, as stated in the record at the  
11 time of this Court's oral ruling in this matter, as issued on 3-24-16 at 1:30 p.m., are hereby incorporated  
12 into the terms of this Order by reference;

13 AND IT IS FURTHER ORDERED that *Trustee's Motion For Summary Judgment On Trustee's*  
14 *Claim To Avoid Plaintiff's Alleged Interest In Real Property* dated 2-17-16 (Docket No. 45) is hereby  
15 GRANTED by this Court;

16 AND IT IS FURTHER ORDERED and determined by this Court that the trustee, as a hypothetical  
17 bona fide purchaser of the debtor's interest in the real property located at: 20004 Wallingford Ave. N.,  
18 Shoreline, WA 98133, a/k/a King County Tax Account No. 107810-0020-09 ("the Shoreline property"),  
19 at the time of the commencement of the debtor's Chapter 7 case, pursuant to 11 U.S.C. §544(a)(3), may  
20 avoid any interest that the plaintiff herein, PEDRO ENRIQUE IRAHETA ("Mr. Iraheta"), may have held  
21 in the Shoreline property at the time of the debtor's Chapter 7 filing, as a matter of law, and the Shoreline  
22 property is hereby determined by this Court to be an asset of the bankruptcy estate in the above-captioned  
23 Chapter 7 case;

24 AND IT IS FURTHER ORDERED that *Pedro Iraheta's Amended Motion For Partial Summary*  
25 *Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54) is hereby DENIED  
26 by this Court, and plaintiff's claim for reformation of the *Quit Claim Deed* which was recorded in King

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

-2-

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401

**Below is the Order of the Court.**

County on 9-21-09, under recording number 20090921000548, seeking to add the plaintiff as an owner of the Shoreline property, is hereby DENIED by this Court, and plaintiff's claim for a declaratory judgment determining that plaintiff is a co-owner of the real property located at: 20004 Wallingford Ave. N., Shoreline, WA 98133 is also hereby DENIED by this Court.

/// End of Order ///

Presented by:

David A. Gebben, Attorney At Law

/S/ David A. Gebben

By: David A. Gebben, WSBA #16290

Attorney for trustee

Notice of Presentation Waived by:

Barraza Law, PLLC

/S/ Vicente Omar Barraza, per email authorization \_

By: Vicente Omar Barraza, WSBA #43589

Attorney for plaintiff

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

-3-

DAVID A. GEBBEN,  
ATTORNEY AT LAW  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: (206) 357-8456  
FACSIMILE: (206) 357-8401

Below is the Order of the Court.



A handwritten signature in black ink, appearing to read "CM Alston", is written over a horizontal line.

**Christopher M. Alston**  
**U.S. Bankruptcy Judge**

(Dated as of Entered on Docket date above)

---

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

In re

MARISOL SANCHEZ,

Debtor.

Case No. 15-13118-CMA

PEDRO ENRIQUE IRAHETA,

Plaintiff,

Adv. No. 15-01313-CMA

v.

MARISOL SANCHEZ, *et al.*,

Defendants.

**ORDER**  
**DISMISSING CLAIMS AGAINST**  
**JPMORGAN CHASE BANK, N.A.**

This matter came before the Court on JPMorgan Chase Bank, N.A.'s Motion for Judgment on the Pleadings. The Court has considered the motion, the pleadings and papers submitted in support of and in opposition to the motion, and the argument of counsel.

NOW, THEREFORE, it is hereby ORDERED that:

1. JPMorgan Chase Bank, N.A.'s Motion is GRANTED pursuant to Fed. R. Civ. P. 56, as made applicable to this proceeding by Fed. R. Bankr. P. 7056, in accordance with the



**Below is the Order of the Court.**

Court's oral ruling delivered at the hearing on March 24, 2016. The Court's oral ruling is incorporated by reference in this Order.

2. All claims and causes of action asserted against JPMorgan Chase Bank, N.A. are hereby dismissed with prejudice.

// END OF ORDER //

Presented by:

Davis Wright Tremaine LLP  
Attorneys for JPMorgan Chase Bank, N.A.

By /s/ Anthony S. Wisen  
Hugh McCullough, WSBA #41453  
Anthony S. Wisen, WSBA #39656

Approved as to Form;  
Notice of Presentation Waived

Barraza Law, PLLC  
Attorney for Pedro Iraheta

By /s/ Vicente Omar Barraza  
Vicente Omar Barraza, WSBA #43589

Barraza Law, PLLC  
14245-F Ambaum Blvd SW  
Burien, WA 98166  
206-933-7861 phone  
206-933-7863 fax

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In Re:

MARISOL SANCHEZ,

Debtor.

NO. 15-13118-TWD

ADVERSARY NO: 15-01313-CMA

PEDRO ENRIQUE IRAHETA,

Plaintiff,

v.

MARISOL SANCHEZ; JP MORGAN  
CHASE BANK, N.A.; AND EDMUND J.  
WOOD, TRUSTEE OF THE  
BANKRUPTCY ESTATE OF MARISOL  
SANCHEZ,

Defendants.

**AMENDED**  
**NOTICE OF APPEAL AND**  
**STATEMENT OF ELECTION**

**Part 1: Identify the appellant(s)**

1. Name(s) of appellant(s): PEDRO ENRIQUE IRAHETA
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

For appeals in a bankruptcy case and not in an  
adversary proceeding

- ☒ Plaintiff  
☐ Defendant  
☐ Other (describe)

- ☐ Debtor  
☐ Creditor  
☐ Trustee  
☐ Other (describe)

AMENDED  
NOTICE OF APPEAL AND STATEMENT OF ELECTION - 1

**Barraza Law, PLLC**  
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Burien, WA 98166  
206-933-7861 phone  
206-933-7863 fax

**Part 2: Identify the subject of this appeal**

1. Describe the judgment, order, or decree appealed from:
2. State the date on which the judgment, order, or decree was entered:

Judgment, Order or Decree

Docket #

Date Entered

Order of Summary Judgment in Favor of  
the Trustee

Docket # 73

March 24, 2016

**Part 3: Identify the other parties to the appeal**

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

Pedro Enrique Iraheta, Plaintiff and Counter Defendant

Attorney: Vicente O Barraza  
Barraza Law PLLC  
14245F Ambaum Blvd SW  
Burien, WA 98166  
206-933-7861  
Fax : 206-933-7863  
Email: omar@barrazalaw.com

Marisol Sanchez, Defendant

Attorney: Christina L Henry  
Henry, DeGraaff & McCormick, PS  
1833 N 105th St, Ste 203  
Seattle, WA 98133  
206-330-0595  
Email: mainline@hdm-legal.com

Edmund J Wood, Trustee, Defendant and Cross-Claimant

Attorney: David A Gebben  
Attorney at Law  
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206-357-8456  
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AMENDED  
NOTICE OF APPEAL AND STATEMENT OF ELECTION - 2

**Barraza Law, PLLC**  
14245-F Ambaum Blvd. SW  
Burien, WA 98166  
206-933-7861 phone  
206-933-7863 fax

1 **Part 4: Optional election to have appeal heard by District Court (applicable only in certain**  
2 **districts)**

3 If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy  
4 Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to  
5 have the appeal heard by the United States District Court. If an appellant filing this notice wishes  
6 to have the appeal heard by the United States District Court, check below. Do not check the box  
7 if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

8 ☒ Appellant(s) elect to have the appeal heard by the United States District Court  
9 rather than by the Bankruptcy Appellate Panel.

10 **Part 5: Sign below**

11 DATED this April 8, 2016.

12 BARRAZA LAW, PLLC

13 By: /s/ Vicente Omar Barraza

14 Vicente Omar Barraza, WSBA # 43589

15 Attorney for Pedro E. Iraheta

16 14245F Ambaum Blvd SW

17 Burien, WA 98166

18 206-933-7861

19 Fax : 206-933-7863

20 Email: omar@barrazalaw.com

21 AMENDED  
22 NOTICE OF APPEAL AND STATEMENT OF ELECTION - 3

23 **Barraza Law, PLLC**  
24 14245-F Ambaum Blvd. SW  
25 Burien, WA 98166  
26 206-933-7861 phone  
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Below is the Order of the Court.



**Christopher M. Alston**  
**U.S. Bankruptcy Judge**

(Dated as of Entered on Docket date above)

David A. Gebben, Attorney At Law  
1700 Seventh Avenue, Suite 2100  
Seattle, WA 98101  
Ph. (206) 357-8456  
Fax (206) 357-8401

**THE HONORABLE CHRISTOPHER M. ALSTON**

Chapter 7

Hearing Location: 700 Stewart Street, Room 7206  
Seattle, WA 98101

HEARING DATE/TIME: MARCH 24, 2016, 1:30 P.M.

Response Date: March 17, 2016

**UNITED STATES BANKRUPTCY COURT**  
**FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

MARISOL SANCHEZ,

Debtor.

PEDRO ENRIQUE IRAHETA,

Plaintiff,

v.

MARISOL SANCHEZ, JP MORGAN CHASE  
BANK, N.A., EDMUND J. WOOD, TRUSTEE  
OF THE BANKRUPTCY ESTATE OF  
MARISOL SANCHEZ,

Defendants.

NO. 15-13118-CMA

ADV. NO. 15-01313-CMA

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

THIS MATTER having come on before this Court for hearing, on 3-24-16 at 1:30 p.m., upon  
*Trustee's Motion For Summary Judgment On Trustee's Claim To Avoid Plaintiff's Alleged Interest In*  
*Real Property* dated 2-17-16 (Docket No. 45), as filed by EDMUND J. WOOD, TRUSTEE ("trustee"), a

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

-1-

DAVID A. GEBBEN,  
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Below is the Order of the Court.

cross-claimant in this adversary case, and upon *Pedro Iraheta's Amended Motion For Partial Summary Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54), as filed by PEDRO ENRIQUE IRAHETA ("plaintiff), the plaintiff in this adversary case, and this Court having reviewed all of the records and files herein relevant to those motions, and this Court having heard the statements and arguments of all parties in appearance before this Court at the time of the hearing on those motions, and this Court having determined that there are no genuine issues of material fact present in this matter, and this Court having issued an oral ruling on those two motions, and other related claim(s), at the conclusion of the hearing that was held on those two motions, on 3-24-16 at 1:30 p.m., and good cause appearing to this Court for entry of the following order in this matter, now therefore it is

ORDERED that this Court's findings and conclusions in this matter, as stated in the record at the time of this Court's oral ruling in this matter, as issued on 3-24-16 at 1:30 p.m., are hereby incorporated into the terms of this Order by reference;

AND IT IS FURTHER ORDERED that *Trustee's Motion For Summary Judgment On Trustee's Claim To Avoid Plaintiff's Alleged Interest In Real Property* dated 2-17-16 (Docket No. 45) is hereby GRANTED by this Court;

AND IT IS FURTHER ORDERED and determined by this Court that the trustee, as a hypothetical bona fide purchaser of the debtor's interest in the real property located at: 20004 Wallingford Ave. N., Shoreline, WA 98133, a/k/a King County Tax Account No. 107810-0020-09 ("the Shoreline property"), at the time of the commencement of the debtor's Chapter 7 case, pursuant to 11 U.S.C. §544(a)(3), may avoid any interest that the plaintiff herein, PEDRO ENRIQUE IRAHETA ("Mr. Iraheta"), may have held in the Shoreline property at the time of the debtor's Chapter 7 filing, as a matter of law, and the Shoreline property is hereby determined by this Court to be an asset of the bankruptcy estate in the above-captioned Chapter 7 case;

AND IT IS FURTHER ORDERED that *Pedro Iraheta's Amended Motion For Partial Summary Judgment Against Defendant Trustee Edmund J. Wood* dated 2-21-16 (Docket No. 54) is hereby DENIED by this Court, and plaintiff's claim for reformation of the *Quit Claim Deed* which was recorded in King

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

-2-

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**Below is the Order of the Court.**

County on 9-21-09, under recording number 20090921000548, seeking to add the plaintiff as an owner of the Shoreline property, is hereby DENIED by this Court, and plaintiff's claim for a declaratory judgment determining that plaintiff is a co-owner of the real property located at: 20004 Wallingford Ave. N., Shoreline, WA 98133 is also hereby DENIED by this Court.

/// End of Order ///

Presented by:  
David A. Gebben, Attorney At Law

/S/ David A. Gebben  
By: David A. Gebben, WSBA #16290  
Attorney for trustee

Notice of Presentation Waived by:  
Barraza Law, PLLC

/S/ Vicente Omar Barraza, per email authorization \_  
By: Vicente Omar Barraza, WSBA #43589  
Attorney for plaintiff

ORDER OF SUMMARY JUDGMENT IN FAVOR  
OF THE TRUSTEE, AS CROSS-CLAIMANT,  
AND AGAINST PLAINTIFF

-3-

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